

Mr. John Allen offered the following resolution:

HSR 376

Whereas, The increasing cost of automobile insurance is a subject of great concern and vital interest to the citizens of Texas; and

Whereas, After approving an average increase of 9.9 percent in automobile insurance rates in October 1969, the State Board of Insurance gave its final approval to an additional 14 percent average rate increase in December 1970; thus, in only two years, the State Board of Insurance has approved the imposition upon Texas consumers of an average automobile insurance rate increase of almost 24 percent; and

Whereas, The Texas public is justifiably outraged at this rapid increase in automobile insurance rates and is relying upon the elected members of the Texas Legislature, who are responsive to the public demands, to protect the public from further large and unreasonable rate increases by the exercise of legislative supervision over the State Board of Insurance; now, therefore, be it

Resolved, That by this resolution the House of Representatives of the 62nd Legislature urge the State Board of Insurance not to grant further increases in automobile insurance rates until it has been directed to do so by a vote of the Legislature in Regular Session; and, be it further

Resolved, That a copy of this resolution be prepared for the State Board of Insurance as an expression of the wishes of the Texas House of Representatives.

The resolution was referred to the Committee on State Affairs.

ADJOURNMENT

In accordance with a previous motion, the House, at 12:10 p.m., adjourned until 11:00 a.m. next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Conservation and Reclamation: HB 1272, HB 1418, HB 1653, HB 1679.

Engrossed and Enrolled Bills: Correctly engrossed—HCR 117. Correctly enrolled—HB 113, HB 175, HB 225, HB 242, HB 441, HB 445, HB 449, HB 1123, HB 1125, HB 1156, HCR 117.

SIXTY-FIRST DAY—MONDAY, APRIL 26, 1971

The House met at 11:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Cruz	Hubenak	Salter
Adams	Daniel	Hull	Sanchez
Agnich	Davis, D.	Jones, D.	Santiesteban
Allen, Joe	Davis, H.	Jones, G.	Schulle
Allen, John	Denton	Kaster	Semos
Angly	Doran	Kilpatrick	Shannon
Atwell	Doyle	Kost	Short
Atwood	Dramberger	Kubiak	Silber
Baker	Earthman	Lemmon	Simmons
Bass, T.	Farenthold	Lombardino	Slack
Beckham	Finnell	Longoria	Slider
Bigham	Floyd	McAlister	Smith
Blanton	Foreman	McKissack	Solomon
Blythe	Garcia	Mengden	Spurlock
Boyle	Golman	Moncrief	Stewart
Braecklein	Grant	Moore, A.	Stroud
Braun	Graves	Murray	Swanson
Burgess	Hanna, Joe	Nabers	Tarbox
Bynum	Hannah, John	Nelms	Truan
Caldwell	Harding	Newton	Tupper
Calhoun	Harris	Niland	Uher
Cates	Hawkins	Parker, C.	Vale
Cavness	Hawn	Parker, W.	Von Dohlen
Christian	Haynes	Poerner	Ward
Clark	Head	Poff	Wayne
Coats	Heatly	Presnal	Wieting
Cobb	Hendricks	Rodriguez	Williams
Cole	Hilliard	Rosson	Williamson
Craddick	Howard	Salem	Wyatt

Absent

Allred	Holmes, Z.	Ligarde	Orr
Bowers	Ingram	Lovell	Patterson
Clayton	Johnson	Moore, G.	Reed
Finck	Jones, E.	Moore, T.	Sherman
Finney	Jungmichel	Moreno	Traeger
Gammage	Lee	Neugent, D.	Wolff
Hale	Lewis	Nichols	

Absent-Excused

Bass, B.	Holmes, T.	Ogg	Price
Carrillo	Nugent, J.	Pickens	

(Mr. Ward occupied the Chair temporarily)

(Speaker in the Chair)

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important business:

Mr. Pickens, temporarily for today, on motion of Mr. Bigham.

Mr. Price on motion of Mr. Cole.

Mr. Jim Nugent on motion of Mr. Grant Jones.

Mr. Bill Bass on motion of Mr. John Hannah.

Mr. Tom Holmes on motion of Mr. Hull.

Mr. Ogg on motion of Mr. Longoria.

Mr. Carrillo on motion of Mr. Longoria.

Representatives Wolff, Clayton, Allred, Edmund Jones, Orr, and Zan Holmes entered the House and were announced present.

MEMORIAL RESOLUTION ADOPTED

The following Memorial Resolution was adopted unanimously by a rising vote:

HSR 387, by Uher: In memory of J. L. Tomlinson.

Representative Tom Moore entered the House and was announced present.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HSR 386, by Kaster: Commending Leon Gillespie.

On motion of Mr. Kaster, the names of all the Members of the House were added to HSR 386 as signers thereof.

HSR 388, by McAlister: Commending the coaches and leaders of the Little Dribblers Basketball Tournament.

HSR 390, by Cobb: Commending Homer Davis of Dalhart.

Representatives Reed and Finck entered the House and were announced present.

MEMORIAL RESOLUTION ADOPTED

The following Memorial Resolution was adopted unanimously by a rising vote:

HSR 391, by Adams: In memory of John Davis Fowler.

Representatives Ligarde, Lovell, and Jungmichel entered the House and were announced present.

INTRODUCTION OF HOUSE BILLS

Mr. Walt Parker asked unanimous consent to introduce and have placed on first reading HB 1754.

There was no objection offered.

Mr. Cobb asked unanimous consent to introduce and have placed on first reading HB 1755.

There was no objection offered.

Mr. Hull asked unanimous consent to introduce and have placed on first reading HB 1756.

There was no objection offered.

HSR 389—REFERRED TO COMMITTEE

(Providing for physical fitness room for Members of the House of Representatives)

Mr. Kaster offered the following resolution:

HSR 389

Whereas, It has come to the attention of many concerned that, during the course of a legislative session, Members of the House of Representatives suffer from a lack of physical exercise because of the long hours required in their offices and on the Floor of the House; and

Whereas, During a session, legislators are guests at numerous receptions and dinners, and, coupled with a lack of exercise, this results in noticeable "spare tires" around the middle of many of the distinguished Members, thereby creating a not so distinguished appearance; and

Whereas, It is common knowledge that when people are physically fit they are more alert mentally, and mental alertness is surely a desirable quality for a legislator; and

Whereas, The Honorable Preston Smith, Governor of the State of Texas, has recognized the value of physical exercise and has named an Advisory Commission on Physical Fitness, and it is incumbent upon Members of the

Texas Legislature to set an example of physical fitness for the rest of the people of the state; and

Whereas, It is difficult for Members to leave the Capitol during a legislative session; and

Whereas, Areas are now available in the Capitol which could be used for a physical fitness room, among them the old vault, which is being offered for sale; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature of the State of Texas direct the House Administration Committee to take such funds as may be necessary from the Expense Fund of the House in order to remodel the old vault room or any other suitable area in the Capitol into a physical fitness room; and, be it further

Resolved, That any excess funds obtained from the sale of the vault be applied to this remodeling.

The resolution was referred to the Committee on House Administration.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By Hendricks:

HB 1746, A bill to be entitled An Act relating to the creation of the constitutional office of criminal district attorney for Collin County; abolishing the office of county attorney for Collin County; and declaring an emergency.

Referred to Committee on Judicial Districts.

By Hendricks:

HB 1747, A bill to be entitled An Act relating to the creation of the County Court at Law of Collin County; altering the jurisdiction of the County Court of Collin County; and declaring an emergency.

Referred to Committee on Judicial Districts.

By Coats:

HB 1748, A bill to be entitled An Act relating to the removal, alteration, or obliteration of a manufacturer's identification number from certain personal property and the possession of certain personal property from which the manufacturer's identification number has been removed, altered, or obliterated; providing penalties for violations; amending the Penal Code of Texas, 1925, by adding Article 1430a; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Ogg:

HB 1749, A bill to be entitled An Act relating to the teaching of the Spanish language in certain school districts; amending Subchapter D.

Chapter 21, Texas Education Code, by adding Section 21.117; and declaring an emergency.

Referred to Committee on Public Education.

By Jungmichel:

HB 1750, A bill to be entitled An Act changing the beginning date of terms of court in the 21st District Court in each county in which the court has jurisdiction; amending Section 1, Subdivision 21, Article 199, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Judicial Districts.

SENATE BILLS ON FIRST READING

The following Senate Bills were today laid before the House, read first time and referred to Committees, as follows:

SB 273 to the Committee on Criminal Jurisprudence.

SB 285 to the Committee on Insurance.

SB 286 to the Committee on Criminal Jurisprudence.

SB 330 to the Committee on School Districts.

SB 370 to the Committee on Mental Health and Mental Retardation.

SB 489 to the Committee on Governmental Affairs and Efficiency.

SB 531 to the Committee on State Affairs.

SB 605 to the Committee on Agriculture.

SB 700 to the Committee on Judiciary.

SB 701 to the Committee on Judiciary.

SB 751 to the Committee on Judiciary.

SB 892 to the Committee on Governmental Affairs and Efficiency.

SB 893 to the Committee on Governmental Affairs and Efficiency.

Representatives Hale, Lewis, Bowers, Nichols, and Johnson entered the House and were announced present.

BILLS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bills:

SB 31, Enacting the Texas Catastrophe Property Insurance Pool Act.

SB 229, Providing that revenue bonds may be delivered to the Texas Water Development Board as price for purchase of the state's interest in acquired storage facilities.

SB 443, Relating to the creation of the Seminole Hospital District in Gaines County.

SB 465, Authorizing the Banking Commissioner of Texas, with proper approval, to proclaim a financial moratorium, and invoke a uniform limitation on withdrawal of deposits from all state banks; providing penalties.

SB 573, Authorizing A&M University to levy a student union fee.

SB 827, Providing that under certain conditions the State Board of Insurance may approve a higher rate of interest in automobile insurance than the standard rate.

SCR 7, Concerning necessary resource-use education necessary in the field of environmental and conservation problems.

LEAVE OF ABSENCE GRANTED

On motion of Mr. Earthman, Mr. Lee was granted leave of absence for today on account of illness.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HSR 392, by Tarbox: Commending John E. Harding, Sr.

(Mr. Shannon in the Chair)

Representatives Moreno and Ingram entered the House and were announced present.

(Speaker in the Chair)

Representatives Traeger and Gammage entered the House and were announced present.

HB 1078 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

HB 1078, Providing for operation of all school districts on quarterly basis.

The bill was read second time on April 20 and was postponed until 11:30 a.m. today.

Representative Dean Neugent entered the House and was announced present.

HB 1078—(Consideration continued)

Mr. Kubiak offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend HB 1078, Section 16.864, Subsection (b), by striking the entire subsection and substituting in lieu thereof the following:

“(b) A district operating during all four quarters of the school year shall decide which students are to attend school during which quarters. However, schedules shall be so arranged that all members of a family attending the schools of a district may attend the same three quarters. Children who had not attained age six on or before September 1 of a current school year may enroll for the quarter immediately following their reaching the age of six during that year.”

Mr. Grant Jones offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1 to HB 1078, page 2 of Second Printing by striking the words “the quarter” on line 14 and substituting the following in lieu thereof:

“the next quarter in which a beginning class is offered.”

The amendment was adopted without objection.

Committee Amendment No. 1, as amended, was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, April 26, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 11 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators: Aikin, Word, Christie, Creighton, Schwartz.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 288 by viva voce vote.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 827 by 26 Yeas, 0 Nays.

I am directed by the Senate to inform the House that the Senate has passed the following:

SB 47, By Connally: Restoring jurisdiction to the County Court of La Salle County, Texas, etc.; and declaring an emergency.

SB 104, By McKool: Relating to senatorial district chairmen and committeemen, senatorial district executive committees, and senatorial district conventions in counties containing all or part of three or more senatorial districts, and also relating to the filling of vacancies in the office of precinct chairman in these counties; and declaring an emergency.

SB 242, By Kennard: Relating to the organization, establishment, financing and powers of Regional Planning Commissions; and declaring an emergency.

SB 320, By Schwartz, et al: Relating to the authority of the Commissioner of Labor Statistics to publish and circulate lists of contractors who have failed to meet certain contractual and statutory specifications for public works projects; and declaring an emergency.

SB 332, By Wilson: Relating to the use of revolving funds by institutions of higher education; and declaring an emergency.

SB 534, By Herring: Relating to the liability for damages of persons engaged in the transplantation or transfusion of human tissues and blood and related purposes; and declaring an emergency.

SB 561, By Brooks: Relating to the authorization for school districts to conduct special education classes for deaf children; and declaring an emergency.

SB 623, By Bates: Relating to the creation and operation of the Texas Sports Horse Commission; and declaring an emergency.

SB 738, By Herring: Amending Texas Education Code relating to eligibility of school children for public transportation; and declaring an emergency.

SB 938, By Herring: Exempting certain construction projects of the Texas Agriculture Department from Building Commission action; and declaring an emergency.

SB 400, By Watson: Relating to qualifications for license as a local recording agent; and declaring an emergency.

SB 837, By Kennard: Relating to the lease of uranium and thorium and related minerals within surveys and portions of surveys sold with minerals reserved to the state; and declaring an emergency.

SJR 44, By Bernal: Proposing an Amendment to the Constitution of the State of Texas to provide for the adoption by Bexar County of a home rule charter.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

Representative Patterson entered the House and was announced present.

HB 1078—(Consideration continued)

Mr. John Allen offered the following amendment to the bill:

Amend HB 1078, Second Printing, by adding a new paragraph at the end of the sentence on line 29 of the printed page, with the following language:

Provided, however, that the school board of each school district in this state shall, by a majority vote of the board, in a regular school board meeting, vote "yes" or "no" in each school district before participation in the Quarter School Program.

Representative Finney entered the House and was announced present.

HB 1078—(Consideration continued)

Mr. Blanton moved to table the above amendment offered by Mr. John Allen.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—93

Agnich	Davis, H.	Hull	Neugent, D.
Allen, Joe	Denton	Jones, D.	Newton
Angly	Doyle	Jones, G.	Nichols
Atwell	Dramberger	Jungmichel	Niland
Atwood	Earthman	Kilpatrick	Orr
Baker	Farenthold	Kost	Parker, C.
Bass, T.	Finck	Kubiak	Parker, W.
Bigham	Finney	Lemmon	Patterson
Blanton	Floyd	Lewis	Poff
Bowers	Gammage	Ligarde	Presnal
Boyle	Golman	Lombardino	Reed
Braun	Graves	Longoria	Rodriguez
Bynum	Hale	McAlister	Salem
Caldwell	Harding	McKissack	Sanchez
Calhoun	Harris	Mengden	Semos
Cates	Hawkins	Moncrief	Shannon
Clark	Hawn	Moore, A.	Silber
Coats	Haynes	Moore, T.	Simmons
Cruz	Hilliard	Moreno	Solomon
Davis, D.	Holmes, Z.	Nelms	Spurlock

Stroud	Tupper	Wayne	Wyatt
Swanson	Uher	Wieting	
Tarbox	Vale	Williams	
Truan	Von Dohlen	Wolff	

Nays—41

Adams	Cole	Howard	Schulle
Allen, John	Craddick	Hubenak	Short
Allred	Doran	Ingram	Slack
Beckham	Finnell	Jones, E.	Slider
Blythe	Foreman	Kaster	Stewart
Braecklein	Garcia	Lovell	Traeger
Burgess	Grant	Murray	Ward
Cavness	Hanna, Joe	Nabers	Williamson
Christian	Head	Poerner	
Clayton	Heatly	Rosson	
Cobb	Hendricks	Salter	

Absent

Daniel	Johnson	Santiesteban	Smith
Hannah, John	Moore, G.	Sherman	

Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Pickens
Carrillo	Lee	Ogg	Price

COMMITTEE MEETING

Mr. Longoria asked unanimous consent of the House that the Committee on Agriculture be permitted to meet at this time.

There was no objection offered.

HB 1078—(Consideration continued)

Mr. Edmund Jones offered the following amendment to the bill:

Amend HB 1078, 1st printing in Sec. 16.864 by adding the following on line 47:

The fourth quarter shall be at the student's option with parental or guardian approval.

Mr. Blanton moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—109

Adams	Angly	Baker	Bigham
Agnich	Atwell	Bass, T.	Blanton
Allen, Joe	Atwood	Beckham	Boyle

Braecklein	Garcia	Lewis	Semos
Braun	Graves	Ligarde	Shannon
Burgess	Hale	Lombardino	Silber
Bynum	Hanna, Joe	Longoria	Simmons
Caldwell	Hannah, John	McAlister	Slack
Cates	Harding	McKissack	Slider
Cavness	Harris	Moreno	Smith
Christian	Hawkins	Murray	Solomon
Clark	Hawn	Nabers	Stroud
Clayton	Haynes	Nelms	Swanson
Coats	Heatly	Neugen ^t , D.	Tarbox
Cobb	Hendricks	Newton	Traeger
Cole	Hilliard	Nichols	Truan
Cruz	Holmes, Z.	Niland	Tupper
Daniel	Howard	Orr	Uher
Davis, D.	Hubenak	Parker, C.	Vale
Davis, H.	Hull	Parker, W.	Ward
Doran	Ingram	Poff	Wayne
Doyle	Jones, D.	Presnal	Wieting
Dramberger	Jones, G.	Reed	Williams
Farenthold	Jungmichel	Rodriguez	Williamson
Finck	Kilpatrick	Rosson	Wolff
Finney	Kost	Salem	
Floyd	Kubiak	Sanchez	
Gammage	Lemmon	Santiesteban	

Nays—26

Allen, John	Finnell	Mengden	Short
Allred	Foreman	Moncrief	Spurlock
Blythe	Grant	Moore, T.	Stewart
Bowers	Head	Patterson	Von Dohlen
Craddick	Jones, E.	Poerner	Wyatt
Denton	Kaster	Salter	
Earthman	Lovell	Schulle	

Absent

Calhoun	Johnson	Moore, G.	Sherman
Golman	Moore, A.		

Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Pickens
Carrillo	Lee	Ogg	Price

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bills and resolutions:

HB 113, Relating to protection of persons filing claim, etc., under Texas Workmen's Compensation Act.

HB 175, Relating to jurisdiction of County Court of Fannin County and 6th Judicial District Court over eminent domain proceedings.

HB 225, Relating to municipal pension systems in certain cities.

HB 242, Relating to additional compensation for district judge of the 75th Judicial District.

HB 441, Validating all governmental acts of the Board of Directors of Harris County Utility District No. 4.

HB 445, Relating to compensation for assistants to the county superintendent in certain counties.

HB 449, Relating to salary of assistant to county superintendent in certain counties.

HB 508, Relating to salaries of certain county officers in certain counties.

HB 556, Establishing system of comparative negligence, etc.

HB 1123, Prohibiting shooting of guns around certain bodies of water in Liberty County and Chambers County and use of crossbow, etc., in certain areas of Chambers County.

HB 1125, Relating to use of nets in Chambers County, except in Trinity Bay; providing penalties.

HB 1156, Removing crappie and white perch catch limitations in Leon County.

HCR 117, Congratulating Miss Vicki White of Austin.

HCR 118, Congratulating the Ex-Students Association of Texas Tech University.

HB 1078—(Consideration continued)

Mr. Rosson offered the following amendment to the bill:

Amend HB 1078, Second Printing, by striking the figure "10" on line 34, page 1 of said bill and substituting the figure "8" in place thereof.

Representative Sherman entered the House and was announced present.

HB 1078—(Consideration continued)

Mr. Blanton moved to table the above amendment.

The motion to table prevailed.

COMMITTEE MEETING

Mr. Hull asked unanimous consent of the House that the Committee on Common Carriers be permitted to meet at this time.

There was no objection offered.

HB 1078—(Consideration continued)

Mr. Traeger offered the following amendment to the bill:

Amend HB 1078 by inserting the following sentence on Line 42 after the sentence ending with the word "year."

"This choice shall be approved or disapproved by the district school board in a regularly scheduled open meeting."

The amendment was adopted without objection.

HB 1078, as amended, was passed to engrossment by the following vote:

Yeas—127

Adams	Davis, H.	Jones, G.	Rosson
Agnich	Denton	Jungmichel	Salem
Allen, Joe	Doran	Kilpatrick	Sanchez
Allen, John	Doyle	Kost	Santiesteban
Allred	Dramberger	Kubiak	Schulle
Angly	Earthman	Lemmon	Semos
Atwell	Farenthold	Lewis	Shannon
Atwood	Finck	Ligarde	Sherman
Baker	Finney	Lombardino	Short
Bass, T.	Floyd	Longoria	Silber
Beckham	Foreman	Lovell	Simmons
Bigham	Gammage	McAlister	Slack
Blanton	Garcia	McKissack	Smith
Blythe	Golman	Mengden	Solomon
Bowers	Grant	Moncrief	Spurlock
Boyle	Graves	Moore, A.	Stroud
Braun	Hale	Moore, T.	Swanson
Burgess	Hanna, Joe	Moreno	Tarbox
Bynum	Harding	Murray	Traeger
Caldwell	Harris	Nabers	Truan
Calhoun	Hawkins	Nelms	Tupper
Cates	Hawn	Neugent, D.	Uher
Cavness	Haynes	Nichols	Vale
Christian	Heatly	Niland	Von Dohlen
Clark	Hendricks	Orr	Ward
Clayton	Hilliard	Parker, C.	Wayne
Coats	Holmes, Z.	Parker, W.	Wieting
Cobb	Hubenak	Patterson	Williams
Cole	Hull	Poff	Williamson
Cruz	Ingram	Presnal	Wolff
Daniel	Jones, D.	Reed	Wyatt
Davis, D.	Jones, E.	Rodriguez	

Nays—11

Braecklein	Head	Newton	Slider
Craddick	Howard	Poerner	Stewart
Finnell	Kaster	Salter	

Absent

Hannah, John	Johnson	Moore, G.
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Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Pickens
Carrillo	Lee	Ogg	Price

Mr. Blanton moved to reconsider the vote by which HB 1078 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO PLACE
HB 1078 ON THIRD READING

Mr. Blanton moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 1078 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—88

Adams	Davis, H.	Kilpatrick	Salem
Allen, Joe	Denton	Kost	Schulle
Allen, John	Dramberger	Kubiak	Semos
Angly	Farenthold	Lemmon	Shannon
Atwell	Finney	Lewis	Sherman
Atwood	Foreman	Ligarde	Short
Bigham	Golman	Lombardino	Silber
Blanton	Hale	Longoria	Slack
Bowers	Harding	McKissack	Smith
Boyle	Harris	Moncrief	Solomon
Braun	Hawkins	Moore, A.	Spurlock
Burgess	Hawn	Moore, T.	Swanson
Caldwell	Haynes	Nelms	Tarbox
Christian	Heatly	Neugent, D.	Traeger
Clark	Hilliard	Nichols	Truan
Clayton	Holmes, Z.	Niland	Uher
Coats	Howard	Orr	Vale
Cobb	Hubenak	Parker, C.	Von Dohlen
Cole	Hull	Parker, W.	Ward
Cruz	Ingram	Patterson	Wieting
Daniel	Jones, D.	Poff	Williams
Davis, D.	Jungmichel	Rodriguez	Williamson

Nays—47

Agnich	Earthman	Jones, G.	Salter
Allred	Finck	Kaster	Sanchez
Bass, T.	Finnell	McAlister	Santiesteban
Beckham	Floyd	Mengden	Simmons
Blythe	Gammage	Moreno	Slider
Braecklein	Garcia	Murray	Stewart
Bynum	Grant	Nabers	Stroud
Calhoun	Graves	Newton	Tupper
Cates	Hanna, Joe	Poerner	Wayne
Craddick	Head	Presnal	Wolff
Doran	Hendricks	Reed	Wyatt
Doyle	Jones, E.	Rosson	

Absent

Baker	Hannah, John	Lovell	Moore, G.
Cavness	Johnson		

Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Pickens
Carrillo	Lee	Ogg	Price

SENATE BILL ON FIRST READING

The following Senate Bill was today laid before the House, read first time and referred to Committee, as follows:

SB 938 to the Committee on Governmental Affairs and Efficiency.

HSR 394—REFERRED TO COMMITTEE

(Designating May 12, 1971 as Speaker's Day)

Mr. Shannon offered the following resolution:

HSR 394

Whereas, The observance of Speaker's Day is a traditional highlight of the House of Representatives during each Regular Session of the Legislature of the State of Texas; and

Whereas, The Honorable Gus Mutscher, now serving in his second term as Speaker of the House, has already proved himself one of the truly outstanding Texans to hold that office; and

Whereas, Before seeking the office of Speaker, he served as Representative from Washington County during the 57th, 58th, 59th, and 60th Sessions of the Texas Legislature; and

Whereas, During that time, he served three times as conferee of the Conference Committee on Appropriations; he was an active member of other major committees and of interim study groups; he was also Chairman of the Committee on Congressional and Legislative Districts, a position which demanded unequaled fairness and personal ability; and

Whereas, After these capable and productive terms of service, he announced his candidacy for the office of Speaker, solicited the ready support of his fellow Members, and was elected without active opposition at the beginning of the 61st Regular Session of the Legislature; and

Whereas, The leadership ability he displayed during the Regular and two Called Sessions of the 61st Legislature, as well as his immense popularity, assured his reelection to the office, again without serious opposition, at the beginning of the current 62nd Regular Session of the Legislature; and

Whereas, Under his leadership, the current legislative session has been, and promises to continue to be, one of the most productive in the history of the Texas Legislature; and

Whereas, Speaker Mutscher has presided with notable efficiency, firm-

ness, fairness, and good humor, earning the admiration of all who have observed him and served with him; and

Whereas, The Mutscher family, the Speaker, his lovely wife Donna and his children, Lisa and Gus Hurley, is one of the most attractive and popular ever to grace the Speaker's Apartment; and

Whereas, It is therefore a privilege, as well as a pleasure, to participate in a special tribute to these splendid Texans; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature of the State of Texas, That May 12, 1971, be designated as Speaker's Day in honor of Gus, Donna, Lisa, and Gus Hurley Mutscher.

The resolution was referred to the Committee on House Administration.

HB 743 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 743, A bill to be entitled An Act defining the term "eligible junior college district"; authorizing the annexation of territory by an eligible junior college district under certain circumstances; and declaring an emergency.

The bill was read second time.

Representatives Pickens and Griffith Moore entered the House and were announced present.

HB 743—(Consideration continued)

Mr. Short offered the following amendment to the bill:

Amend HB 743 by inserting after the word electors on line 44: "from inside the city, and a majority of the voters in the areas being annexed. Each to be tabulated separately."

Mr. Ligarde moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—88

Allen, Joe	Blanton	Clayton	Doran
Allred	Boyle	Coats	Doyle
Atwell	Braun	Cobb	Farenthold
Baker	Bynum	Cruz	Finney
Bass, T.	Caldwell	Daniel	Floyd
Beckham	Cavness	Davis, D.	Gammage
Bigham	Clark	Davis, H.	Golman

Graves	Kaster	Nelms	Schulle
Hale	Kost	Neugent, D.	Shannon
Hannah, John	Lemmon	Nichols	Silber
Harding	Lewis	Niland	Simmons
Harris	Ligarde	Parker, C.	Slack
Hawkins	Lombardino	Parker, W.	Smith
Hawn	Longoria	Patterson	Solomon
Haynes	Lovell	Pickens	Spurlock
Hendricks	McAlister	Poerner	Swanson
Hilliard	McKissack	Presnal	Truan
Holmes, Z.	Moncrief	Reed	Tupper
Hull	Moore, A.	Salem	Vale
Ingram	Moore, G.	Salter	Williams
Johnson	Moore, T.	Sanchez	Wolff
Jones, D.	Moreno	Santiesteban	Wyatt

Nays—39

Agnich	Craddick	Howard	Rosson
Allen, John	Denton	Hubenak	Short
Angly	Dramberger	Jones, E.	Tarbox
Blythe	Earthman	Jungmichel	Traeger
Bowers	Finck	Kilpatrick	Uher
Burgess	Finnell	Kubiak	Von Dohlen
Calhoun	Foreman	Mengden	Ward
Cates	Grant	Murray	Wayne
Christian	Hanna, Joe	Nabers	Williamson
Cole	Heatly	Rodriguez	

Present—Not Voting

Adams	Head	Poff	Wieting
Atwood	Jones, G.	Semos	
Braecklein	Newton	Slider	
Garcia	Orr	Stewart	

Absent

Sherman	Stroud
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Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Price
Carrillo	Lee	Ogg	

HB 743 was passed to engrossment.

Mr. Ligarde moved to reconsider the vote by which HB 743 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Mr. Jungmichel and Mr. Ward requested to be recorded as voting Nay on the passage to engrossment of HB 743.

HB 1424 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 1424, A bill to be entitled An Act amending the subject matter of the Texas Unemployment Compensation Act, as amended (Articles 5221b-1 et seq., Vernon's Texas Civil Statutes), as follows: amending Section 3, providing benefits; amending Section 7, providing contributions; amending Section 16, providing penalties; adding a Section 29, providing for coverage of state employees; providing an effective date for this Act; providing for the repeal of all laws and parts of laws in conflict herewith and for preserving rights accrued thereunder; providing for the severability of provisions; and declaring an emergency.

The bill was read second time.

Mr. Carl Parker offered the following amendment to the bill:

Amend HB 1424, Second Printing, by striking on lines 30-31 of page one the phrase "Fifty Dollars (\$50)" and substituting the phrase "Seventy Dollars (\$70)."

(Mr. Shannon in the Chair)

Mr. Clayton moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—84

Agnich	Denton	Jones, E.	Rosson
Allen, John	Doran	Jones, G.	Salter
Angly	Doyle	Jungmichel	Sanchez
Atwell	Earthman	Kaster	Schulle
Atwood	Finck	Kost	Sherman
Baker	Finnell	Lombardino	Short
Blanton	Floyd	McAlister	Simmons
Blythe	Foreman	McKissack	Slack
Bowers	Golman	Mengden	Slider
Boyle	Grant	Moncrief	Solomon
Braecklein	Hanna, Joe	Moore, A.	Spurlock
Burgess	Harding	Moore, G.	Tarbox
Calhoun	Hawkins	Murray	Traeger
Cates	Hawn	Nabers	Tupper
Cavness	Heatly	Newton	Von Dohlen
Christian	Hilliard	Niland	Ward
Clayton	Howard	Parker, W.	Wayne
Cobb	Hubenak	Patterson	Wieting
Craddick	Hull	Pickens	Williamson
Davis, D.	Ingram	Poerner	Wolff
Davis, H.	Jones, D.	Presnal	Wyatt

Nays—55

Adams	Dramberger	Kubiak	Reed
Allen, Joe	Farenthold	Lemmon	Rodriguez
Allred	Finney	Lewis	Salem
Bass, T.	Gammage	Ligarde	Santiesteban
Beckham	Graves	Longoria	Semos
Bigham	Hale	Lovell	Silber
Braun	Hannah, John	Moore, T.	Smith
Bynum	Harris	Moreno	Stewart
Caldwell	Haynes	Nelms	Stroud
Clark	Head	Neugent, D.	Swanson
Coats	Hendricks	Nichols	Truan
Cole	Holmes, Z.	Orr	Vale
Cruz	Johnson	Parker, C.	Williams
Daniel	Kilpatrick	Poff	

In The Chair

Shannon

Absent

Garcia Uher

Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Price
Carrillo	Lee	Ogg	

(Speaker in the Chair)

Mr. Cruz offered the following amendment to the bill:

Amend HB 1424, Second Printing, by striking on lines 30-31 of page one the phrase "Fifty Dollars (\$50)" and substituting the phrase "Sixty Dollars (\$60)."

Mr. Clayton moved to table the above amendment.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—66

Agnich	Christian	Hanna, Joe	McKissack
Allen, John	Clayton	Harding	Mengden
Atwell	Cobb	Hawkins	Moore, A.
Atwood	Craddick	Heatly	Moore, G.
Baker	Davis, D.	Hilliard	Newton
Blanton	Davis, H.	Howard	Niland
Blythe	Doran	Ingram	Orr
Bowers	Earthman	Jones, D.	Parker, W.
Braecklein	Finck	Jones, E.	Patterson
Burgess	Finnell	Jones, G.	Pickens
Calhoun	Floyd	Jungmichel	Poerner
Cates	Foreman	Kaster	Presnal
Cavness	Golman	Kost	Rosson

Salter	Slack	Traeger	Wieting
Semos	Slider	Von Dohlen	Williamson
Sherman	Solomon	Ward	
Short	Tarbox	Wayne	

Nays—74

Adams	Farenthold	Lemmon	Sanchez
Allen, Joe	Finney	Lewis	Santiesteban
Allred	Gammage	Ligarde	Schulle
Angly	Garcia	Lombardino	Shannon
Bass, T.	Grant	Longoria	Silber
Beckham	Graves	Lovell	Simmons
Bigham	Hale	Moncrief	Smith
Boyle	Hannah, John	Moore, T.	Spurlock
Braun	Harris	Moreno	Stewart
Bynum	Hawn	Murray	Stroud
Caldwell	Haynes	Nabers	Swanson
Clark	Head	Nelms	Truan
Coats	Hendricks	Neugent, D.	Tupper
Cole	Holmes, Z.	Nichols	Vale
Cruz	Hubenak	Parker, C.	Williams
Daniel	Hull	Poff	Wolff
Denton	Johnson	Reed	Wyatt
Doyle	Kilpatrick	Rodriguez	
Dramberger	Kubiak	Salem	

Present—Not Voting

McAlister

Absent

Uher

Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Price
Carrillo	Lee	Ogg	

The vote of the House was taken on adoption of the amendment by Mr. Cruz and the vote was announced Yeas 72, Nays 70.

A verification of the vote was requested and was granted.

The roll of those voting Yea was again called and the verified vote resulted as follows:

Yeas—71

Adams	Braun	Cruz	Gammage
Allen, Joe	Bynum	Daniel	Garcia
Allred	Caldwell	Denton	Grant
Bass, T.	Cates	Doyle	Graves
Beckham	Clark	Dramberger	Hale
Bigham	Coats	Farenthold	Hannah, John
Boyle	Cole	Finney	Harris

Hawn	Lemmon	Nichols	Smith
Haynes	Ligarde	Parker, C.	Spurlock
Head	Lombardino	Poff	Stewart
Hendricks	Longoria	Reed	Stroud
Hilliard	Lovell	Rodriguez	Swanson
Holmes, Z.	Moncrief	Salem	Truan
Hubenak	Moore, T.	Sanchez	Tupper
Hull	Moreno	Santiesteban	Vale
Johnson	Murray	Schulle	Wolff
Kilpatrick	Nelms	Shannon	Wyatt
Kubiak	Neugent, D.	Silber	

Nays—70

Agnich	Davis, H.	Kaster	Salter
Allen, John	Doran	Kost	Semos
Angly	Earthman	Lewis	Sherman
Atwell	Finck	McAlister	Short
Atwood	Finnell	McKissack	Simmons
Baker	Floyd	Mengden	Slack
Blanton	Foreman	Moore, A.	Slider
Blythe	Golman	Moore, G.	Solomon
Bowers	Hanna, Joe	Nabers	Tarbox
Braecklein	Harding	Newton	Traeger
Burgess	Hawkins	Niland	Uher
Calhoun	Heatly	Orr	Von Dohlen
Cavness	Howard	Parker, W.	Ward
Christian	Ingram	Patterson	Wayne
Clayton	Jones, D.	Pickens	Wieting
Cobb	Jones, E.	Poerner	Williamson
Craddick	Jones, G.	Presnal	
Davis, D.	Jungmichel	Rosson	

Absent

Williams

Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Price
Carrillo	Lee	Ogg	

By unanimous consent, the House dispensed with the verification of those voting Nay.

The Speaker stated that the Cruz amendment was adopted by the above vote.

LEAVE OF ABSENCE GRANTED

On motion of Mr. Nelms, Mr. Williams was granted leave of absence for the remainder of today on account of important business.

HB 1424—(Consideration continued)

Mr. Slider offered the following amendment to the bill:

Amend HB 1424, Second Printing, by striking all of Section 4 and re-numbering the subsequent Sections in proper order.

A record vote was requested.

The amendment was adopted by the following vote:

Yeas—84

Adams	Davis, H.	Kost	Presnal
Agnich	Dramberger	Kubiak	Rosson
Allen, John	Earthman	Lemmon	Schulle
Atwell	Finck	Lewis	Semos
Atwood	Floyd	Ligarde	Sherman
Baker	Garcia	McAlister	Short
Blanton	Hanna, Joe	McKissack	Slack
Blythe	Hawkins	Mengden	Slider
Bowers	Hawn	Moore, A.	Solomon
Boyle	Heatly	Moore, G.	Spurlock
Braecklein	Hilliard	Murray	Swanson
Burgess	Howard	Nabers	Tarbox
Bynum	Hubenak	Neugent, D.	Traeger
Calhoun	Hull	Newton	Tupper
Cates	Ingram	Niland	Uher
Cavness	Johnson	Orr	Von Dohlen
Christian	Jones, D.	Parker, W.	Ward
Clayton	Jones, E.	Patterson	Wayne
Cobb	Jones, G.	Pickens	Wieting
Cole	Jungmichel	Poerner	Williamson
Davis, D.	Kaster	Poff	Wyatt

Nays—53

Allen, Joe	Farenthold	Kilpatrick	Sanchez
Allred	Finnell	Lombardino	Santiesteban
Angly	Finney	Longoria	Shannon
Bass, T.	Foreman	Lovell	Silber
Beckham	Gammage	Moncrief	Simmons
Bigham	Grant	Moore, T.	Smith
Braun	Graves	Moreno	Stewart
Caldwell	Hale	Nelms	Stroud
Clark	Hannah, John	Nichols	Truan
Coats	Harris	Parker, C.	Vale
Craddick	Haynes	Reed	Wolff
Daniel	Head	Rodriguez	
Denton	Hendricks	Salem	
Doyle	Holmes, Z.	Salter	

Absent

Cruz	Doran	Golman	Harding
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Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Price
Carrillo	Lee	Ogg	Williams

HB 1424, as amended, was passed to engrossment by the following vote:

Yeas—88

Adams	Golman	Lombardino	Schulle
Allen, John	Grant	Longoria	Semos
Allred	Hale	Lovell	Shannon
Atwell	Hannah, John	McAlister	Silber
Beckham	Hawkins	McKissack	Simmons
Bigham	Hawn	Moncrief	Slack
Blanton	Haynes	Moore, A.	Slider
Boyle	Head	Moore, G.	Smith
Bynum	Heatly	Moreno	Solomon
Caldwell	Hendricks	Murray	Spurlock
Clayton	Hilliard	Nabers	Stewart
Coats	Holmes, Z.	Neugent, D.	Stroud
Cole	Hubenak	Niland	Swanson
Cruz	Ingram	Orr	Tarbox
Daniel	Johnson	Parker, C.	Truan
Davis, H.	Jones, D.	Parker, W.	Tupper
Doyle	Jones, G.	Poff	Vale
Dramberger	Kaster	Presnal	Ward
Finck	Kilpatrick	Reed	Wieting
Finnell	Kost	Salem	Williamson
Finney	Lemmon	Sanchez	Wolff
Gammage	Ligarde	Santiesteban	Wyatt

Nays—51

Agnich	Cavness	Hanna, Joe	Patterson
Allen, Joe	Christian	Harris	Pickens
Angly	Clark	Howard	Poerner
Atwood	Cobb	Hull	Rodriguez
Baker	Craddick	Jones, E.	Rosson
Bass, T.	Davis, D.	Jungmichel	Salter
Blythe	Denton	Kubiak	Sherman
Bowers	Doran	Lewis	Short
Braecklein	Earthman	Mengden	Traeger
Braun	Farenthold	Moore, T.	Uher
Burgess	Floyd	Nelms	Von Dohlen
Calhoun	Foreman	Newton	Wayne
Cates	Graves	Nichols	

Absent

Garcia Harding

Absent-Excused

Bass, B.	Holmes, T.	Nugent, J.	Price
Carrillo	Lee	Ogg	Williams

Mr. Clayton moved to reconsider the vote by which HB 1424 passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

ADJOURNMENT

Mr. Hull moved that the House adjourn until 10:00 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 1:35 p.m., adjourned until 10:00 a.m. tomorrow.

APPENDIX

BILLS TRANSMITTED TO GOVERNOR UNDER ARTICLE 16,
SECTION 59

HB 1751 transmitted by the Chief Clerk to the Governor on April 26, 1971.

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Agriculture: SB 602.

Appropriations: SB 895.

Conservation and Reclamation: HB 1390, HB 1391.

Common Carriers: HCR 41.

Counties: HB 174, HB 726, HB 786, HB 839, HB 844, HB 930, HB 931, HB 1043, HB 1088, HB 1089, HB 1184, HB 1206, HB 1216, HB 1217, HB 1249, HB 1267, HB 1268, HB 1600, HB 1601, HB 1622, SB 60, SB 136.

Engrossed and Enrolled Bills: Correctly engrossed—HB 26, HB 58, HB 210, HB 297, HB 349, HB 372, HB 373, HB 444, HB 553, HB 573, HB 574, HB 584, HB 614, HB 642, HB 647, HB 652, HB 718, HB 741, HB 759, HB 764, HB 775, HB 787, HB 798, HB 803, HB 866, HB 966, HB 987, HB 1001, HB 1035, HB 1118, HB 1136, HB 1159, HB 1229, HB 1259, HB 1289, HB 1563, HB 1566, HB 1598, HCR 118. Correctly enrolled—HB 508, HB 556, HCR 118.

Judiciary: HB 243, HB 305, HB 992, SB 174, SB 176.

Mental Health and Mental Retardation: HB 724, HB 1286, HB 1436, SB 412.

Oil, Gas, and Mining: HB 772, HB 1122.

Parks and Wildlife: HB 1205.

SENT TO THE GOVERNOR
April 26, 1971

HB 113

HB 175

HB 225
 HB 242
 HB 441
 HB 445
 HB 449
 HB 508
 HB 556
 HB 1123
 HB 1125
 HB 1156
 HCR 117
 HCR 118

SIXTY-SECOND DAY—TUESDAY, APRIL 27, 1971

The House met at 10:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Cobb	Heatly	Moreno
Adams	Cole	Hilliard	Murray
Agnich	Craddick	Holmes, T.	Nabers
Allen, Joe	Cruz	Holmes, Z.	Newton
Allen, John	Daniel	Howard	Nichols
Allred	Davis, D.	Hubenak	Niland
Atwell	Davis, H.	Ingram	Nugent, J.
Atwood	Denton	Johnson	Ogg
Baker	Doyle	Jones, E.	Orr
Bass, T.	Dramberger	Jones, G.	Parker, C.
Beckham	Earthman	Jungmichel	Parker, W.
Bigham	Farenthold	Kaster	Patterson
Blanton	Finnell	Kost	Pickens
Bowers	Floyd	Kubiak	Poerner
Boyle	Foreman	Lee	Poff
Braecklein	Gammage	Lemmon	Presnal
Braun	Garcia	Lewis	Price
Burgess	Grant	Ligarde	Reed
Bynum	Hanna, Joe	Lombardino	Rosson
Caldwell	Hannah, John	Longoria	Salem
Calhoun	Harding	McAlister	Santiesteban
Carrillo	Harris	Mengden	Schulle
Cates	Hawkins	Moncrief	Semos
Cavness	Hawn	Moore, A.	Shannon
Christian	Haynes	Moore, C.	Sherman
Coats	Head	Moore, T.	Short